

**BROADCAST MUSIC, INC., et al.,**

**Plaintiffs,**

**vs.**

**GARY VANCE BRILL, individually**  
**and d/b/a TALLGARY'S CANTINA,**

**Defendant.**

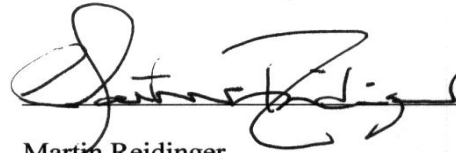
**THIS MATTER** is before the Court on the Report of Plaintiffs' Attempts at Designation of Mediator [Doc. 35].

The Pretrial Order/Case Management Plan entered in this matter requires the parties to designate a mediator within 21 days. [Doc. 34 at 10]. The Plaintiffs have proposed designating attorney David M. Carter as a mediator in this action but has received no response from the Defendant on the matter. Upon consideration of the Plaintiffs' report, the Court agrees that David Carter is a suitable mediator in this case.

Accordingly, **IT IS, THEREFORE, ORDERED** that attorney David M. Carter is hereby designated as the mediator in this action.

**IT IS SO ORDERED.**

Signed: October 1, 2013

  
Martin Reidinger  
United States District Judge

